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Activities of the Office of the United Nations Ombudsman and Mediation Services

Report of the Secretary-General

Summary

As the United Nations celebrates its seventy-third anniversary, the Organization continues to respond to new and emerging global challenges, as well as to the ever-changing security and political environment. Reform initiatives are under way within the United Nations to ensure that it can respond to an evolving world. The Office of the United Nations Ombudsman and Mediation Services provides critical services that support all staff, including all levels of management, during these periods of organizational change.

The present report is the tenth covering the activities of the Office of the United Nations Ombudsman and Mediation Services, which provides informal workplace conflict resolution services to the Secretariat, funds and programmes (United Nations Children's Fund, United Nations Development Programme, United Nations Population Fund, United Nations Office for Project Services and United Nations Entity for Gender Equality and the Empowerment of Women and the Office of the United Nations High Commissioner for Refugees (UNHCR).

The report contains statistical data and information on the activities of the Office carried out during the period from 1 January to 31 December 2017. It focuses on Secretariat-specific activities, including dispute-resolution services, outreach activities to promote greater conflict competence among staff and managers, and makes observations on systemic issues. Detailed information on the activities undertaken specifically by the Ombudsman for United Nations Funds and Programmes and the Ombudsman for the Office of the United Nations High Commissioner for Refugees is provided in the annual reports made available on the respective intranet pages and/or websites.

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I. Introduction

A. Towards a harmonious United Nations workplace

1. In his report on shifting the management paradigm in the United Nations: ensuring a better future for all (A/72/492), the Secretary-General outlined a series of major reforms expected to have a transformational impact on the Organization in both the short and long terms. With the goal of making the United Nations more nimble, effective, transparent, accountable, efficient, pragmatic and decentralized to better support its normative and operational activities, the ambitious reform agenda may at times have a destabilizing effect on staff. Acknowledging an exciting opportunity for improvement in the Organization, it is also a time when staff members must adapt to evolving mandates and new administrative processes while responding to the ever-growing demands for quality performance and increasing hardships and risks in the field. Drawing on its experience of fundamental organizational change and the potential for increased discomfort in the workplace, the Office of the United Nations Ombudsman and Mediation Services provides an informal institutional capacity to prevent and resolve workplace conflict and promote workplace harmony.

2. The Office provides informal conflict-resolution options specifically tailored to complex work situations and develops capacity among participants to prevent future conflict. The informal process can address a great breadth of issues, including those with and without a legal component, in a way that is consistent with the promotion of peace by the United Nations and the use of dialogue to resolve disputes between and within nations.

B. Mandate of the Office of the United Nations Ombudsman and Mediation Services

3. As a single integrated office, the terms of reference of the Office were promulgated by the Secretary-General, in consultation with the executive heads of the separately administered funds, programmes and entities of the United Nations system. The Office is guided by the core principles of independence, neutrality, confidentiality and informality, which are aligned with internationally established standards of practice for both the profession of organizational ombudsman and for professional mediators (see ST/SGB/2016/7).

4. The Office provides confidential and impartial assistance to resolve workplace disputes wherever United Nations staff are located. Staff at all levels seek the assistance of the Office on a broad range of issues, including disputes relating to contract renewal, staff selection, perceived discrimination and unfair treatment, the imposition of disciplinary measures, interpersonal issues and important managerial decisions. In addition, staff members sometimes turn to the Office for help in unravelling bureaucratic knots or when there has been a lack of response to an administrative request or entitlement query. The Office assists staff through a variety of dispute resolution approaches, including exploring options, coaching, mediation, facilitation, group processes and team-building. During the reporting period, as the Organization elevated its response to allegations of sexual and other misconduct, the Office continues to be a valuable confidential resource to staff.

5. The Office identifies trends and systemic issues underlying conflicts based on cases addressed or issues that otherwise come to its attention. These are raised with the Organization's management on an ongoing basis. The Office endeavours to assist employees to develop the knowledge, attitude and skills to handle conflicts

constructively ("conflict competence") by offering thematic informational sessions and workshops, skill building initiatives, group processes, and individual coaching.

6. These broad areas of work are intertwined and interdependent. Issues uncovered during contact with visitors often provide the means to identify systemic gaps and inform the design of broader conflict competence and prevention initiatives. These areas of work are embedded in the core responsibilities of all case officers (ombudsmen and mediators), thus ensuring a holistic and inclusive approach to conflict resolution, as well as an optimal and efficient utilization of the resources of the Office.

II. Overview of the Office of the United Nations Ombudsman and Mediation Services

7. The Office serves the constituencies of the following entities, through its three pillars: the Secretariat; the funds and programmes, including the United Nations Development Programme, the United Nations Population Fund, the United Nations Children's Fund, the United Nations Office for Project Services and United Nations Entity for Gender Equality and the Empowerment of Women; and UNHCR. Each pillar is established and administered by its respective entity or entities.

8. Staff from the three pillars continue to collaborate on a regular basis to harmonize practices and to share knowledge. Regular participation in the discussion of cases and practice parameters enhances mutual learning and standardizes responses to common problems. The three pillars share a confidential and secure case-management system that allows for common categorization and reporting of case data.

9. The Office is headquartered in New York and has seven regional offices and a mediation service as established by the General Assembly in its resolution 62/228. The regional offices are in Bangkok, Entebbe (Uganda), Geneva, Goma (Democratic Republic of the Congo), Nairobi, Santiago and Vienna, and are each served by a dedicated regional ombudsman. The ombudsmen for the funds and programmes and for UNHCR provide services to their global constituencies from New York and Geneva, respectively.

10. The Office's decentralized regional presence ensures that staff members at all duty stations have easy access to timely, in-person services to facilitate early resolution through informal intervention. Visits to field offices and in-person contact with the staff members serving in challenging environments allow first-hand assessment of the causes of disputes and conflicts in the workplace. The visits are always accompanied with conflict-competency training otherwise unavailable in those locations. During the reporting period, the regional branches reached staff members serving in, among other duty stations, the Central African Republic, Colombia, the Darfur region of the Sudan, Mali and all the offices in South Sudan. Each regional office is headed by a regional ombudsman reporting to the United Nations Ombudsman and independent of the United Nations entities in their respective regions.

11. It is worth noting that a large majority of the case intake for the Office comes from staff members working at offices away from headquarters and field missions.

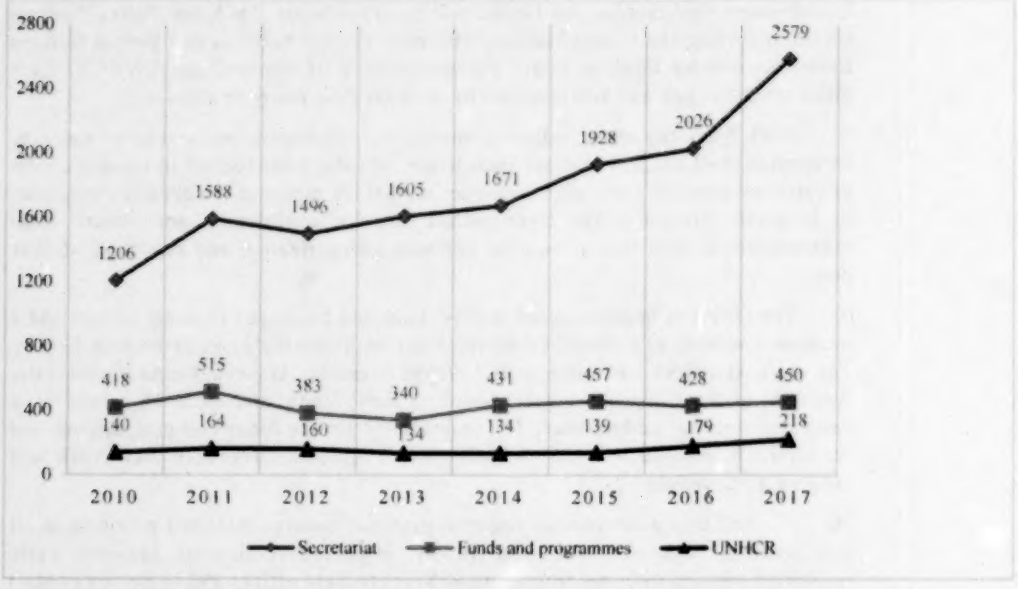
12. Regional ombudsmen and mediators perform both ombudsman and mediation services, offering a high level of efficiency.

III. Statistical overview of cases and trends

A. Case volume and trends

13. The Office opened a total of 3,247 cases[1] in 2017, an increase of 23 per cent over the previous year. Of those cases, 2,579 (80 per cent) originated in the Secretariat, 450 (14 per cent) in the funds and programmes and 218 (7 per cent) in UNHCR (see figure I). In the Secretariat, an overall upward trend in case volume has been observed over the last eight years. The funds and programmes and UNHCR have maintained a relatively steady case volume during the same period; however, 2017 saw a 22 per cent increase in cases at UNHCR, largely due to increased outreach, additional support in Budapest and increasing pressures within the Organization.

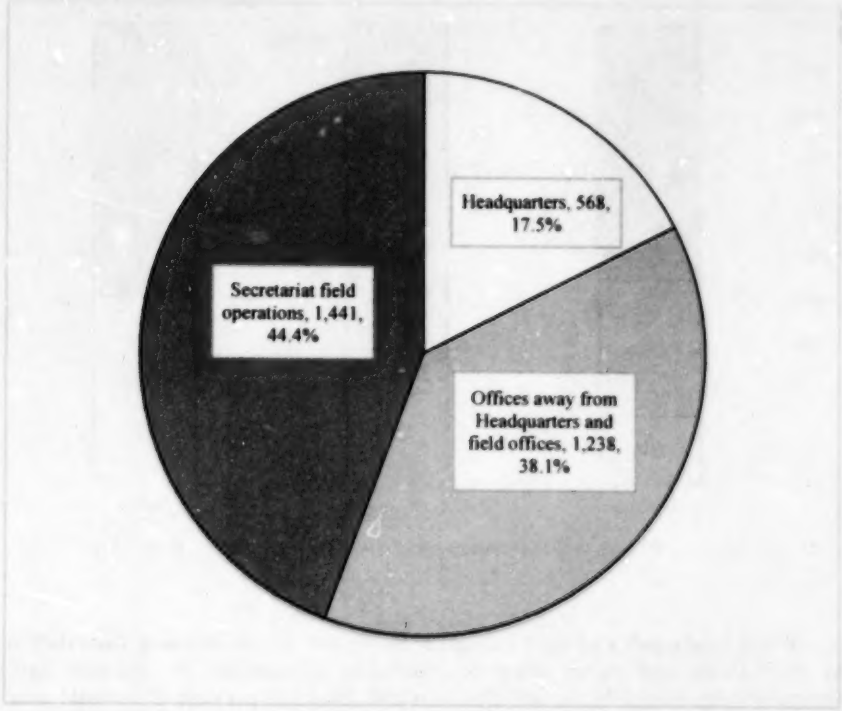
Figure I
Number of cases opened, Office of the United Nations Ombudsman and Mediation Services, 2010–2017



14. In 2017, 82.5 per cent (2,679) of cases across the Office emanated from offices away from headquarters (country and field offices, Secretariat peacekeeping and political missions and others), while 17.5 per cent (568) were from headquarters locations (see figure II).

[1] Cases include all types of interventions, including mediation.

Figure II
Distribution of cases by location, Office of the United Nations Ombudsman and Mediation Services, 2017

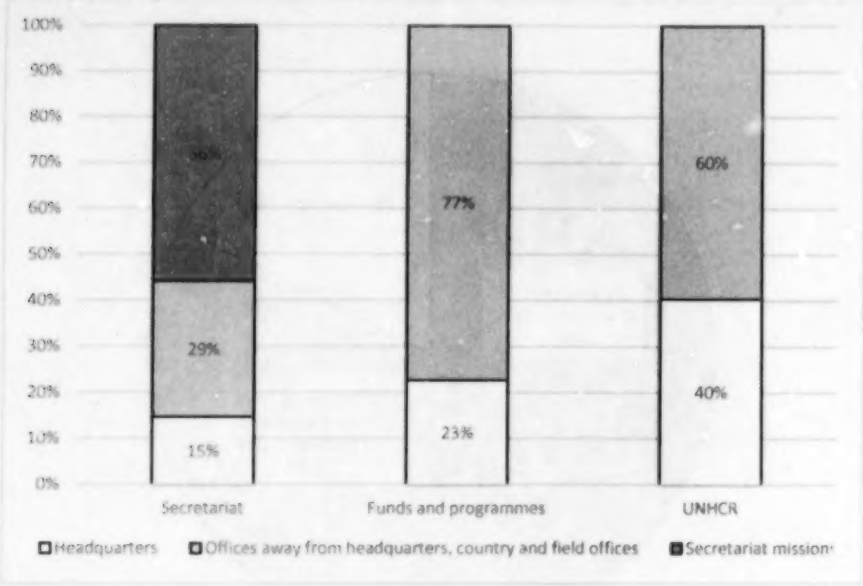

Headquarters, 568, 17.5%
Secretariat field operations, 1,441, 44.4%
Offices away from Headquarters and field offices, 1,238, 38.1%

15. In 2017, for the Secretariat, 15 per cent (378) of cases were reported by staff at Headquarters, 29 per cent (760) from offices away from Headquarters and 56 per cent (1,441) from field operations (see figure III).[2]

16. For the funds and programmes, in 2017, 23 per cent (102) of cases were from headquarters, while 77 per cent (348) emanated from the country offices. During the same reporting period, 40 per cent (88) of the UNHCR cases were from headquarters, while 60 per cent (130) were from the field offices (see figure III).

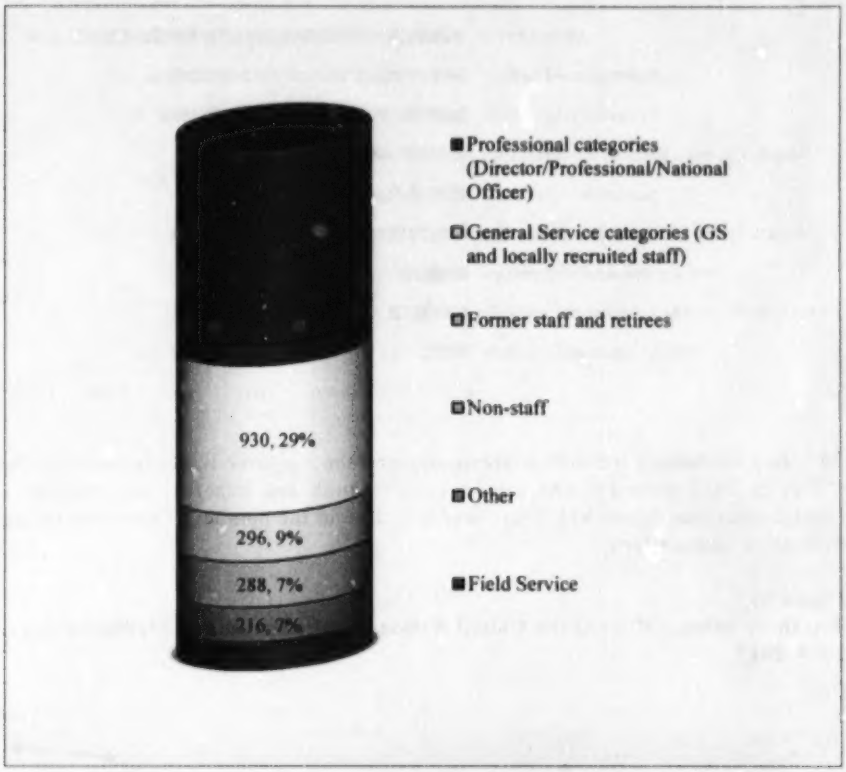
[2] Headquarters offices are: New York (Secretariat); New York and Copenhagen (funds and programmes); and Geneva and Budapest (UNHCR). Offices away from headquarters are: various field offices for the Secretariat, the funds and programmes and UNHCR. Field operations are peacekeeping and special political missions of the Secretariat.

Figure III
Distribution of cases by location and by pillar, Office of the United Nations Ombudsman and Mediation Services, 2017



17. Of the total number of cases brought to the Office, 42 per cent were from staff in the Professional and higher categories, including international Professional staff, National Professional Officers and Directors and above; 29 per cent of the total were from the General Service and related categories, including locally recruited staff; 5 per cent were from Field Service staff; and 9 per cent were from former staff and retirees (see figure IV). While this is largely consistent with the previous reporting period, there was an increase in the use of the Office by former staff and retirees (from 6.5 per cent of total cases in 2016 to 9 per cent in 2017), largely in relation to payments of entitlements and compensation raised by former national staff.

Figure IV
Distribution of cases by occupational group, Office of the United Nations Ombudsman and Mediation Services, 2017

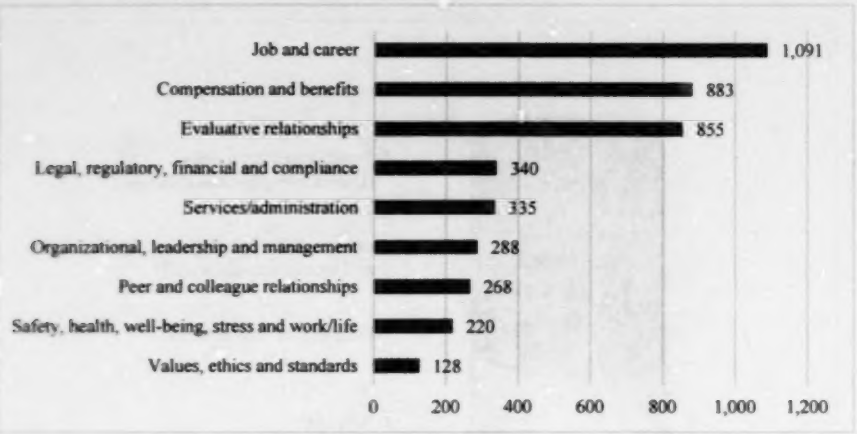


18. During the reporting period, 9 per cent (288) of cases across the Office emanated from categories of non-staff personnel.

B. Issues and trends

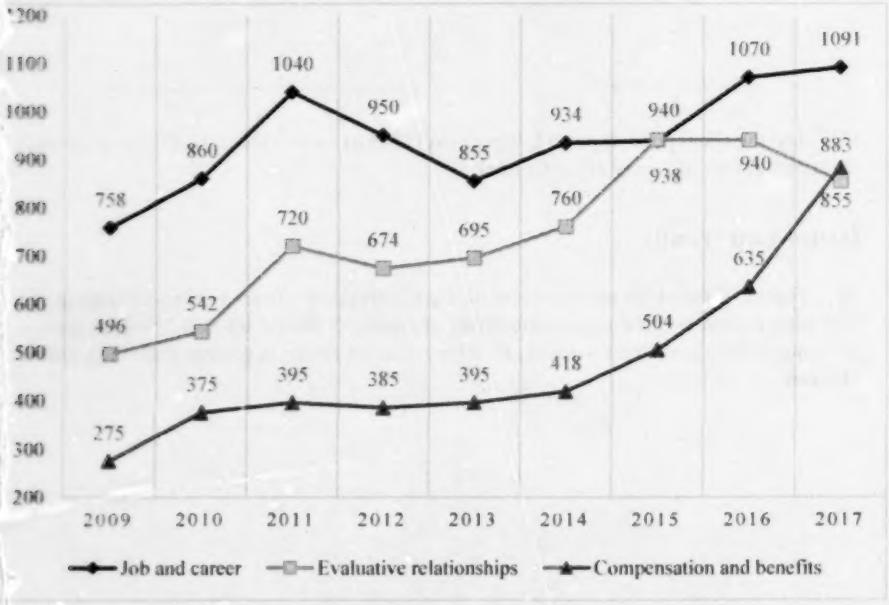
19. Figure V provides an overview of the distribution of cases received during the reporting period by nine major categories of issues. It should be noted that a case can have multiple issues or sub-issues, so the number of issues is greater than the number of cases.

Figure V
Breakdown of all issues brought to the Office of the United Nations Ombudsman and Mediation Services, 2017



20. In a continuing trend from previous years, the top three issues reported to the Office in 2017 were job and career; compensation and benefits; and evaluative relationships (see figure VI). There was a decline in the number of cases regarding evaluative relationships.

Figure VI
Top three issues, Office of the United Nations Ombudsman and Mediation Services, 2009–2017



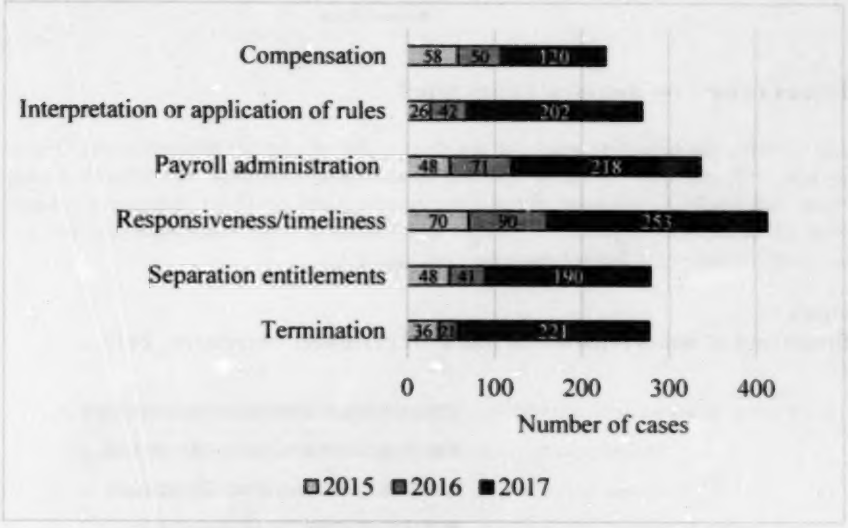
21. In addition to the top three issues, staff members come to the Office with other important concerns which can have a profound impact on staff well-being, as will be discussed in chapter V (see table). In the Secretariat, there were upward trends in a

number of sub-issues connected with service delivery, organizational values and restructuring (figure VII).

Other issues brought forward, Office of the United Nations Ombudsman and Mediation Services, 2017

Issue	*Percentage of cases*	*Number of cases*
Services/administration	10	305
Legal, regulatory, financial and compliance	6	248
Organizational, leadership and management	7	229
Peer and colleague relationships	6	206
Safety, health, well-being, stress and work/life	6	198
Total	**35**	**1 186**

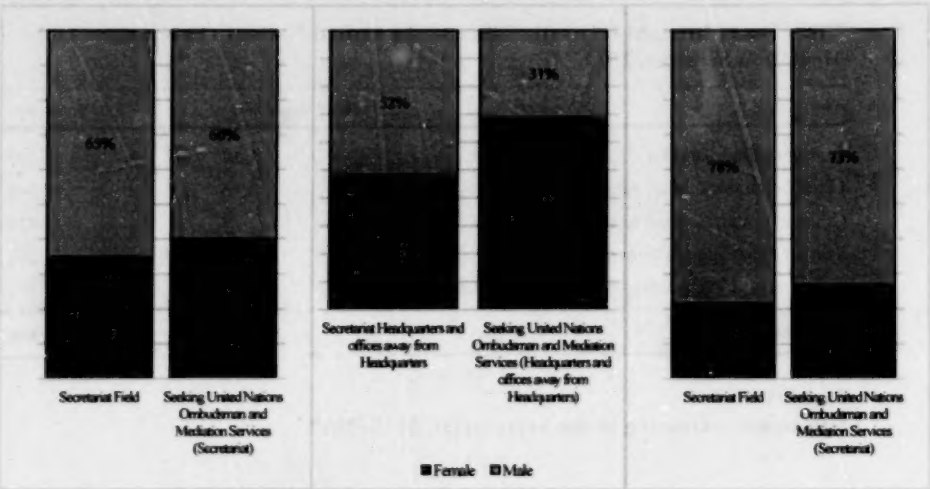
Figure VII
Sub-issues increasing in the Secretariat, 2015–2017



C. Utilization rates in the Secretariat

22. Using the latest demographic figures available (from A/72/123), figure VIII shows that male staff members are less likely than their female counterparts to use the services of the Office, as compared with their population overall across the Secretariat, in non-field duty stations and in the field.

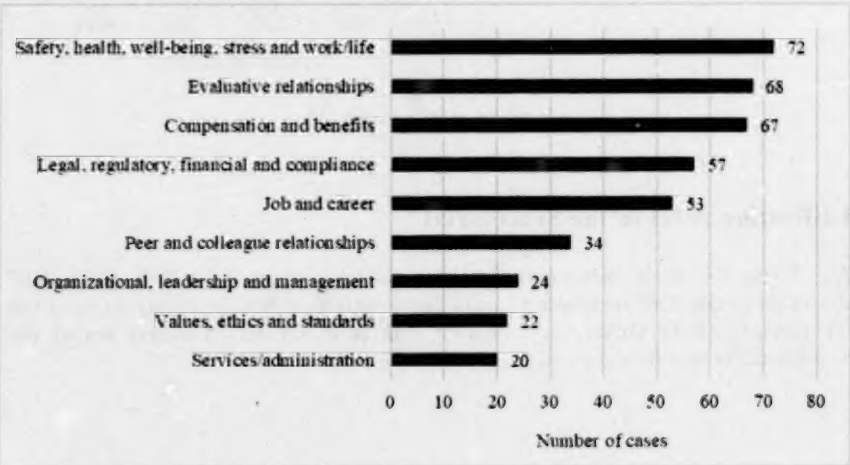
Figure VIII
Gender by location and utilization rate, Secretariat, 2017



D. Issues raised by non-staff personnel

23. During the reporting year, the top three areas of conflict brought to the Office by non-staff personnel were: compensation and benefits; safety, health, well-being, stress and work/life balance; and evaluative relationships. These together represent over 225 cases (see figure IX). Access to informal conflict-resolution services for non-staff personnel is further discussed in chapter 8.

Figure IX
Breakdown of issues reported by non-staff personnel, Secretariat, 2017



IV. Mediation services

A. Programmatic activities

24. The renewed emphasis by the Secretary-General on mediation as a valuable tool for preventing and tackling global challenges has given impetus to workplace mediation and highlighted important parallels between peacemaking efforts around the globe and conflict-resolution efforts within the Organization. Commitment to peace and dialogue, compassion, civility, engagement and respect across divides are not only crucial on the world scene, they are also vital in the quest for peaceful resolution of workplace disputes.

25. In that spirit, mediators and ombudsmen across the three pillars intensified efforts in conflict-competence training and team-building to further promote entente among the staff and empower them to manage conflict constructively. Concerted efforts were also exerted to facilitate dialogue between parties in dispute and transform challenging situations into ones of mutual understanding, including outside the structure of classic mediation.

26. The case volume in mediation is consistent with the steady increase since 2009. Moreover, the resolution rate of cases mediated remained high, as shown in the statistical section below.

B. Mediation training and outreach

27. During the reporting period, the Office continued to work on communication materials that support general prevention efforts. A mediation video was developed and launched (in English, French and Spanish) to raise awareness about the added value and availability of mediation for the peaceful settlement of disputes.

28. Among ongoing activities to refresh skills and deliver excellent mediation services, the Office sought the services of instructors from the Harvard Negotiation Institute to conduct an advanced specialized mediation training programme for all mediators and ombudsmen, including newly recruited case officers. Participants gained skills in impasse-breaking techniques, addressing ethical issues in mediation, and how the mediator can impact the process of conflict resolution and bringing peace into the room.

C. Capacity-building for managers

29. Across the three pillars, outreach activities were conducted around the world through face-to-face meetings or via video- and teleconferencing. In the Secretariat, in addition to missions conducted by the regional ombudsmen in their respective regions, the Mediation Service staffed activities in peacekeeping missions (including in a mission's leadership retreat), conducted workshops and worked with new Office staff in the region.

30. Field visits, including engagement with teams, are considered vitally important to raise awareness of the benefits of mediation, build skills in conflict competence and support and empower managers to participate effectively in mediation and/or encourage recourse thereto when needed.

31. In the spirit of further promoting a culture of respectful treatment and strengthening the role of mediation in the peaceful settlement of workplace disputes and conflict prevention, it is recommended that leaders across the Organization continue to encourage recourse to mediation — and informal resolution more

broadly — to help bridge divides, promote dialogue among parties in dispute and maintain a harmonious workplace.

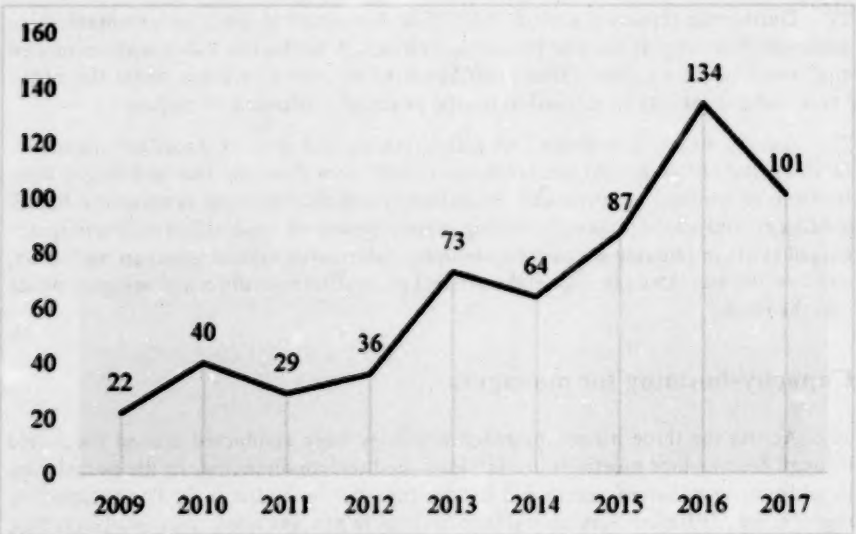
32. The Mediation Service supports access to mediation and informed decision-making by all participants addressing workplace conflicts. In the coming year, the Office will continue to collaborate with the formal administration of justice system, including the Management Evaluation Unit and the Tribunals, to explore opportunities for proactive routing of cases to mediation, while respecting the voluntary nature of participation.

D. Statistical overview of mediation cases

33. In paragraph 16 of its resolution 72/256, the General Assembly welcomed with appreciation the high resolution rate of cases mediated and encouraged the Office to continue its efforts in informal dispute resolution. The Assembly requested detailed information on the activities of the Office, including statistical overviews of mediated cases.

34. During the reporting period, 101 mediation cases, including 5 group processes, were opened. Of those, 56 emanated from the Secretariat, 32 from the funds and programmes and 13 from UNHCR (see figure X for the number of mediation cases opened since 2009).

Figure X
Number of mediation cases opened, 2009–2017



35. While the number of mediation cases may appear to have declined from 2016 (134) to 2017 (101) it is important to note that the 2016 figures included 53 individual orders of referral for mediation by the United Nations Dispute Tribunal, all relating to similar issues triggered by a policy decision in the same peacekeeping mission. This large referral of similar cases, if combined as a group case, would show the 2016 mediation caseload as 82 and the 2017 figure consistent with previous trends.

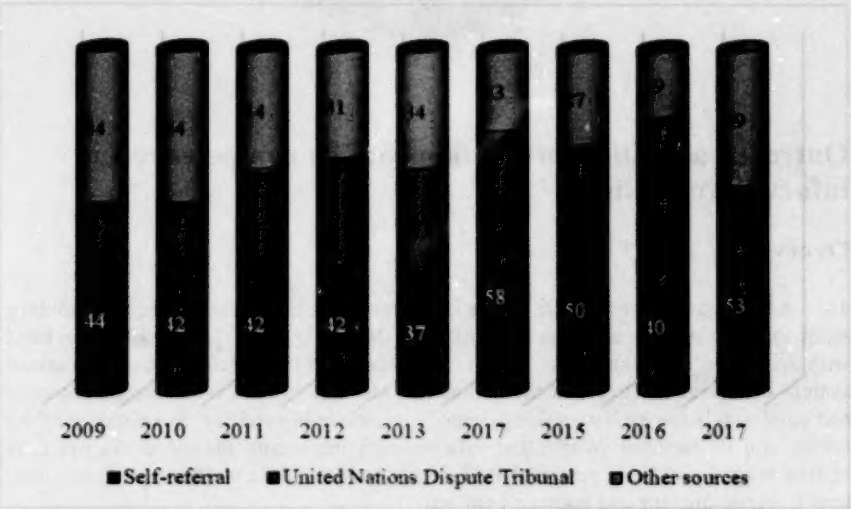
36. Group processes, which are documented as a single mediation case for each group, may include a variety of components that support team cohesion, boost team

morale and address interpersonal or structural issues to help the team to achieve its full potential.

37. Of the five group processes conducted by the Office, four were conducted by the Mediation Service in the Secretariat and one in the funds and programmes. They included work with over 90 staff members, the largest group being 26 people and the smallest being 7.

38. For mediation cases in the Secretariat, the funds and programmes and UNHCR, 7.9 per cent (8 cases) were referred by the Dispute Tribunal, 53.5 per cent (54 cases) were self-referrals (i.e., the party or parties requested a mediation) and the remainder (38.6 per cent, or 39 cases) were referred to mediation by other offices (the Office of Staff Legal Assistance, the Management Evaluation Unit, the administration and staff representatives, among others). The sources of referral for mediation cases during the period from 2009 to 2017 are shown in figure XI. Self-referrals continue to represent the highest group of mediated cases.

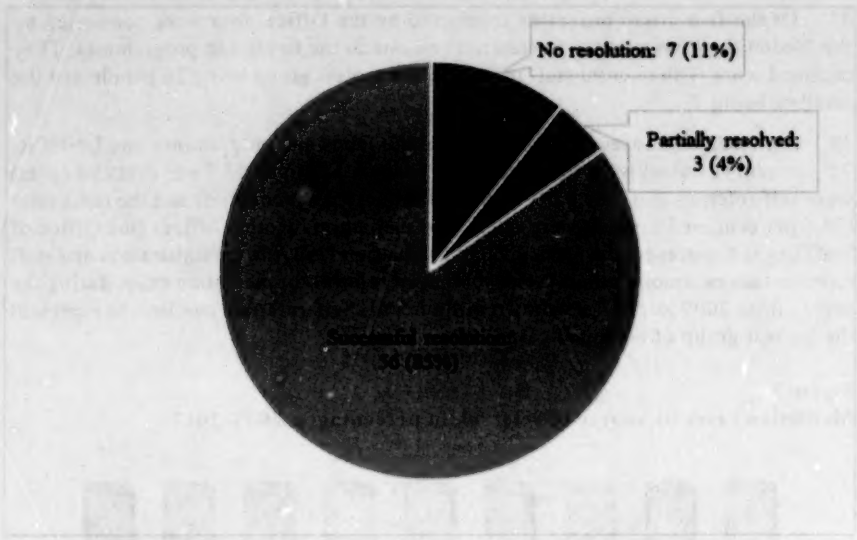
Figure XI
Mediation cases by source of referral, in percentages, 2009–2017



39. General trends of issues mediated are in line with previous years, with predominant concerns in job and career; evaluative and peer relationships; and compensation and benefits.

40. Consistent with previous reports, the resolution rate of cases mediated and closed across the Office has remained high, with 89.7 per cent of mediated cases in 2017 resulting in a successful outcome in the Secretariat, and a successful resolution rate of 84.9 per cent across all three pillars (see figure XII). Of the 101 cases opened in 2017, 66 were mediated and closed and in 56 of those a resolution was reached. Seven cases were closed with no resolution and 3 were partially resolved. Nine cases could not proceed to mediation because one of the parties declined to mediate. Six cases were not appropriate for mediation and four cases were resolved before mediation. A total of 16 cases remained open.

Figure XII
Outcome of mediated cases across the three pillars, 2017



V. Outreach activities: promoting conflict competence and informal resolution

Overview

41. A key strategic goal of the Office is to promote conflict competence by building skills to better prevent and resolve conflict in the workplace. This goes hand in hand with the Office's core mandate. In the initial years after the introduction of the current system of internal justice and the expanded informal system, the focus of outreach and communication activities was primarily on informing staff of the existence of the Office and its services. While that task remains important, the emphasis has now shifted toward providing practical skills, tools and insight to staff and managers into how to better prevent and manage conflict.

42. Currently, there are seven established regional ombudsman's offices, two of which are dedicated to assisting staff in peacekeeping missions. The Office maintains an extensive programme of outreach visits, supplementing the field presence by bringing informal conflict-resolution and mediation services closer to staff and managers. The Office initiated a pilot project in Beirut beginning October 2017 to explore the most effective means of serving the Middle East and North Africa, within existing resources.

43. Whether at Headquarters, in a regional office or on mission, each mediator and ombudsman is involved in developing activities that help staff members to understand the nature of workplace conflict and use informal methods to resolve it. The focus is on building skills and providing practical tools that staff members can use every day to prevent or resolve conflict.

44. To support its key functions, the Office has developed numerous communication tools and activities. The Office's principal communication platform, its multilingual website (www.un.org/ombudsman), remains an important gateway for staff seeking

in-depth information on the Office's role and services, including a series of key documents, online resources and access to all annual reports.

45. In 2017, the Secretariat Ombudsman marked its fifteenth-year anniversary by intensifying its delivery of conflict-resolution focused activities. These included an estimated 440 outreach activities within the Secretariat globally, including over 90 workshops, 70 information sessions and presentations, panel discussions, town hall meetings and skill-building activities, and over 260 meetings with senior officials, or partnership consultations with internal or external stakeholder groups. Additionally, an expert panel, held in partnership and association with the Permanent Mission of Sweden to the United Nations addressed the theme "Making peace: mediation and justice in action".

46. To overcome the challenge of limited physical presence, remote channels such as email, telephone and online video teleconferencing are often used by the Office in making its services, including case intervention, available in most field locations. However, difficult conditions in the field, including weak information technology systems, unstable Internet service, power disruptions and other logistical constraints continue to present considerable challenges, making in-person intervention by far the most desirable means of early conflict resolution.

47. Each mission includes: one-on-one consultations with staff members; information sessions or town hall meetings; focus groups; and briefings with senior officials, stakeholders, local support resources and staff representatives.

48. Some missions were coordinated with other offices, including the Department of Field Support and the Office of Staff Legal Assistance, to provide comprehensive assistance to staff undergoing downsizing. This recommended practice provided a comprehensive service to staff members and an efficient implementation for visiting service providers and mission hosts.

49. In paragraph 18 of its resolution 72/256, the General Assembly encouraged the Office to intensify its outreach activities. In paragraph 19 of the resolution, the Assembly recognized the efforts of the Office aimed at the informal resolution of conflict and requested more detailed information on the impact of conflict prevention training and on efforts to further enhance cooperation between the informal and formal parts of the system of administration of justice.

50. In 2017, feedback survey results from participants revealed a high level of satisfaction with the workshops and information sessions, and 90 per cent of respondents to the feedback questionnaire stated that they would recommend the session to others. The multilingual website was visited on average 3,000 times per month.

51. The Office has strengthened the design and implementation of pre-intervention surveys, which are conducted prior to visits to field offices or peacekeeping missions. The survey aims to initiate dialogue, identify the main workplace issues and gauge the level of awareness of staff of informal conflict resolution. Additionally, conducting a survey prior to a conflict resolution mission can detect ongoing workplace conflicts, prevalent issues and the time spent on dealing with them. That information is helpful for designing relevant training workshops and outreach materials and providing customized responses to staff needs. In 2017, the confidential and anonymous pre-intervention survey was sent to 24 Secretariat offices, departments and missions located in 26 countries in Africa, Latin America and Asia.

52. The Office will continue working towards providing more detailed data on the impact of its conflict prevention training efforts in its next report.

VI. Root causes of conflict: systemic issues

A. Background

53. Office interaction with stakeholders enables the Office to identify, analyse and report on systemic issues occurring or emerging in the Organization. While individual cases can be resolved through direct intervention, many conflicts can be traced to systemic issues such as gaps or inconsistencies in the Organization's policies, procedures, systems or structures. These may be deeply rooted in the organizational culture or the result of a misalignment of purpose, goal and implementation. The Office's early detection of these issues allows the Organization to respond in a holistic way that can address current and prevent future conflicts.

B. Introduction

54. In the 2017 report (A/72/138), the Ombudsman observed several factors affecting staff productivity, health and morale, leading to unproductive and inappropriately expressed conflict. Recently, the Organization had to contend with allegations of harassment and abuse, including in the press.

55. From a systemic perspective, extreme occurrences do not happen in a vacuum: there is a lead-up and escalation when prevention and early warning systems have failed or are ignored. A general fear of speaking up, as the Ombudsman has noted previously, leads to a possible underreporting of risk and incidents that likely could have been prevented had there been an atmosphere of trust, listening and support.

56. The present report focuses on systemic issues contributing to inappropriate behaviour that may not meet the definition of misconduct but is inconsistent with the values of the Organization and the standards of conduct required of international civil servants.[3] A workplace where colleagues and supervisors are respectful of diversity, attentive to the dignity of all and use an appropriate, civil tone, describes an environment consistent with the values of the United Nations. A work environment where staff and managers become abrasive, matters escalate towards harassment, abuse of power, intimidation or retaliation, are an offence to those same values.

57. This may lead to unhealthy conflict and undue stress, which, in turn, may lead to staff disengagement and cynicism and become a risk to organizational reputation and productivity. The opportunities described in each section below include what the Office hears from both staff members and managers on the actions each would like to see from the other for the attainment of a harmonious workplace.

C. Performance management and accountability

58. In the 2017 report (A/72/138), the Ombudsman reported on the centrality of performance management, behaviour management and accountability, in a 15-year overview of the work of the Office. The report highlighted the need for staff and managers to have the necessary, sometimes difficult, conversations in a helpful, productive manner (paras. 59, 60 and 69). The findings from the cases handled in the reporting period are consistent with previous observations.

59. Under the Organization's regulations, rules and policies, any form of harassment, including sexual harassment, discrimination and abuse of authority is

[3] International Civil Service Commission, Standards of Conduct for the International Civil Service (New York, 2013). Available from https://icsc.un.org/resources/pdfs/general/standardsE.pdf.

prohibited, as is any other type of misconduct. Where established through a proper process, perpetrators may face disciplinary action or even prosecution in national jurisdictions.

60. While the above may address egregious transgressions supported with ample evidence, the Ombudsman notes an organizational weakness with regard to addressing inappropriate and unacceptable behaviour that falls short of the definition of misconduct. This may include unfair or unsubstantiated accusations of underperformance; using the threat of filing an unfounded harassment complaint to gain advantage; pushback when underperformance is appropriately addressed; inappropriate, disrespectful, abrasive, inconsiderate, objectionable, rude or attacking behaviour; or stress- and tension-inducing behaviour that, while perhaps understandable in context, may make other staff feel uncomfortable, intimidated or excluded. At times, these may even lead to stress-induced sick leave.

61. Other infractions or microaggressions can also be hurtful or disrespectful to individuals and cumulatively damaging, leading to a toxic work environment that falls short of the organizational expectation of a harmonious, productive workplace. Such behaviour is inconsistent with the requirement of all staff to exhibit the core values and competencies of the Organization, with additional requirements placed on managers (see ST/SGB/1999/15).

62. When managers fail to act, or deny that there is a problem, the absence of consequences for poor behaviour is perceived by all involved as a culture of impunity. A healthy work environment is unsustainable when meeting deadlines or "getting things done" is rewarded at the expense of staff well-being or team motivation. Unless there are consequences for this costly kind of "success", the culture will not change. On the contrary, the Ombudsman observed that this approach has kept managers from paying adequate attention to the needs and well-being of their staff. A caring management approach may be more effective and sustainable in the long term, and more consistent with organizational values.

63. Many managers avoid a difficult conversation that could address an issue early on, often to the detriment of the staff impacted by the behaviour concerned. Without staff being made aware of the issue, there is no opportunity to correct it, and this cycle of inaction allows problems to grow, fester and escalate.

64. Having the skills and resources to balance an adherence to rules, policies and procedures with respectful, harmonious behaviour and communication is critical to effective performance management. Currently, there is a risk that this divergence of values and practice will challenge the ability of staff working together at the United Nations to fulfil their mandates to improve the lives of the beneficiaries of the Organization.

65. Finally, where the objectionable behaviour occurred at senior levels, it had a broader negative impact on the overall workplace than when similar behaviour emanated from more junior levels.

Observation on organizational initiatives

66. The Secretariat has continued to undertake improvements to the performance management and development system and is now developing an approach that incorporates the promotion of behavioural change, especially regarding the need for ongoing feedback between managers and staff. These changes are aimed at shaping organizational culture and increasing accountability for the management of the Organization's most important asset: its staff. The introduction of a new leadership and management model is envisaged, towards the end of 2018, including raising

awareness of unconscious bias, offering mentoring opportunities to staff at large and promoting a positive change to organizational culture.

Opportunities

(1) **Model exemplary behaviour**

(a) Deal decisively and early with inappropriate behaviour, even when it does not reach the level of prohibited conduct; speak up against any offensive behaviour perpetrated against themselves or colleagues;

(b) Set the "tone from the top" and address uncivil behaviour swiftly, proportionately and fairly, across the board, before it can escalate to a formal complaint;

(c) Supervisees and supervisors must co-create continuous dialogue;

(d) Focus on the dignity of all concerned and on a harmonious work environment free of abrasive, offensive and hurtful behaviour;

(e) Leadership must act promptly when organizational values are impinged — a formal complaint should not be seen as a prerequisite for management action;

(f) Pay special attention to the performance evaluations of staff facing a downsizing exercise to ensure that behaviour and treatment of others is evaluated when making retention decisions;

(g) Be empathetic, and judge behaviour not people. Recognize that staff members at all levels who appear abrasive may be under intense pressure and will need support.

(2) **Accountability**

(a) Note that good behaviour is integral to good performance. Hold all staff, including the most senior, accountable for how they treat others, especially those under their direct or indirect supervision;

(b) Impose appropriate consequences, and correct negative incentives.

(3) **Training and support**

(a) Continue to provide training and support to managers to use the performance management system fairly and appropriately to reinforce core values and behavioural competencies of staff;

(b) Develop the skills of staff, leadership and managers to initiate conversations about behaviour promptly as issues arise;

(c) Ensure staff are aware of and can freely access recourse and support resources to deal with any perceived or real offensive behaviour at an early stage, without any fear that management would retaliate.

D. Quality of service

67. Many issues raised related to the quality and timeliness of service, including simply receiving a response to inquiries (see figure V). These cases were often associated with high levels of frustration. The damage caused by poor service delivery, followed by delays and lack of commitment or engagement to rectify the situation, can far exceed the original problem, as once poor service delivery leads a staff member or manager to feel improperly treated or disrespected, trust in the system and in management erodes. With diminishing trust, conflicts easily occur.

68. The Office has observed the profound negative impact on behaviour, morale, engagement and productivity when whole teams spiral down, with attendant absences and mental health issues. Some of those expected to deliver services work in underresourced and under-managed environments, unable to attain the level of service expected and thus feel victimized themselves. The Ombudsman works with the various parties, offices and departments involved to address these issues on a practical, specific level as confidentiality permits.

69. The Ombudsman has observed a concern that delegation of authority to the field could result in abuse of authority, if there is less or no oversight by headquarters. There appears to be limited awareness that the reform proposals repeatedly mention that delegation will occur only with the appropriate training, monitoring and accountability. Another possible explanation is that staff feel that management may not fully appreciate the extent of abuse seen, perceived or feared by them. An inability to foster trust with staff and assure them of protection against abusive behaviour or inappropriate decisions in the field may hinder meaningful discussions regarding optimal delegation of authority for service delivery.

Observation on organizational initiatives

70. The Ombudsman recognizes the Organization's attempts to capitalize on the introduction of an enterprise resource planning system (Umoja), and that it is preparing for large-scale reforms to address the issue of global consistency and promptness of service in administration. This may alleviate some of the concerns raised in the medium and long term. Until such reforms have been successfully implemented, the Organization may wish to pay immediate attention to both the staff problems associated with service delivery shortcomings and the legitimate difficulties of staff in delivering the services requested.

71. In this connection, simply pushing high-performing staff harder to deliver on departmental commitments, without adequate support is not an acceptable solution as this has led to staff becoming unwell — sometimes seriously so — when delivery pressures were delegated downwards without the necessary managerial support.

Opportunities

(1) **Accountability**

(a) Be an effective role model, regardless of level; everyone contributes to organizational culture;

(b) Model client orientation, teamwork and professionalism; systematically ask for feedback after delivering services to internal clients;

(c) Act on unusual or inappropriate office behaviour and encourage the reporting of abuse of delegated authority to headquarters;

(d) Do not incentivize avoidance of poor behaviour by allowing the situation to persist;

(e) Explore and introduce innovative ways to better perform tasks and deliver services more effectively.

(2) **Communication**

(a) Send the message to all staff that management wants to hear, will listen and will act when their support is needed; promptly inform staff when capacity constraints will hamper service delivery, informing them of when they can expect a response;

(b) Speak up (whether supervisor or supervisee) and request support when conditions do not allow expected performance or timeliness, without putting staff under undue stress;

(c) Acknowledge and reward managers who care for their staff and staff who contribute to a harmonious workplace.

(3) **Alignment**

(a) Realistically align resources to tasks, distribute work fairly and hold team members accountable for their share of the work;

(b) Support supervisees when they take the right but difficult decisions.

E. Reform implementation and change management

72. The Ombudsman has previously reported on reform fatigue and the lack of change management and adequate communication strategies (A/72/138). These concerns continue to gain importance, as they often present as the backdrop or root cause of the specific issues brought to the Office.

73. While the need for change is accepted, constant, sometimes large-scale, transformational reforms (where one begins before the previous has been brought to fruition) can have a destabilizing effect on some staff, in particular where there are long transition periods. This may be a contributing factor to some of the negative results in the staff engagement survey (see para. 75 below). This sense of destabilization and the resulting stress and cynicism is fertile ground for poor, defensive and even aggressive behaviour, contributing to an increase in incivility.

Observation on organizational initiatives

74. There have been considerable efforts made at communicating the reform initiatives to staff, including global town halls and briefings to the Staff Management Committee. Also, mitigating measures have been devised for those who may be negatively impacted by impending reforms. However, despite all these efforts, there remains a pervasive sense of uncertainty and insecurity that impacts behaviour, office culture and the well-being of staff. Many, including senior staff, justifiably or not, feel that available information is withheld for no good reason. Staff at all levels have complained about the lack of information-sharing in recent and current reform processes.

Opportunities

(1) **Preparation**

(a) Request that the change management efforts be properly resourced for optimal effectiveness and identify to the relevant bodies the cost and resource implications so that investment will be commensurate with the need for and scale of the reforms;

(b) Explore and be aware at all levels of options, alternative career paths and mitigating measures. While it is not intended to shift the burden for change management to individual staff, research has shown that, where individuals engage in shaping their future, they feel less stressed, less helpless and more dignified;

(c) Continue to engage in the staff-management process and the work with elected staff representatives towards shaping the future of work in the *Organization*;

(d) Acknowledge that change is difficult and attend to self-care, including by using the services of staff counsellors for resilience and stress management.

(2) **Communication**

(a) Continue the communication efforts already under way, even when it may seem repetitive;

(b) Explore what may account for the gap between the considerable efforts made by management and the perception that there may not be sufficient communication;

(c) Develop an internal communication strategy and communicate early, even in the absence of concrete information, to help staff at large know the plan and the timing of decisions to follow;

(d) Reassure staff that the change-management governance structure to lead, oversee and accompany any wide-ranging reforms and changes that will impact many staff and various offices across the global Secretariat is in place and ready;

(e) Create even more opportunities to engage staff in dialogue, in addition to more unidirectional information and briefing sessions;

(f) Monitor whether and how the considerable efforts already made are received and processed by staff ("check in").

(3) **Training and support**

Educate staff and managers as early as possible on transition management for themselves and for coaching supervisees.

VII. Observations on organizational initiatives

A. United Nations Staff Engagement Survey

75. In paragraph 17 of its resolution 72/256, the General Assembly requested that the report of the Ombudsman include information and recommendations on the overall results of the staff survey as they relate to staff perceptions of workplace conflict.

76. The Ombudsman is pleased to note that the first United Nations Staff Engagement Survey took place from 4 to 18 December 2017.

77. While there are many important findings in the Survey, both positive and less positive, the Ombudsman notes, in the context of this report, the finding of an imbalance between the ongoing budget cuts faced by many entities and the requirement of managers to create an enabling, empowering environment. What is presented as mandated managerial action feels to some managers like immense pressure on them to shoulder an impossible burden. The budget cuts create additional stress on the staff who remain following cuts or post freezes. Consequently, managers find it difficult to reconcile the welcomed mandate to create an enabling environment with the reduced resources and unchanged expectations to produce.

Opportunity

78. Address the need for adequate support and an enabling environment for staff in times of budget cuts to enable them to perform effectively.

B. Mental health

79. The constant changes and uncertainties experienced across the Secretariat and the larger systems of which it is a part have put significant sectors of the Organization in a psychological "survival mode", with the attendant lack of empathy that this defensive mode carries with it. It appears that this is taking a toll on the well-being and mental health of all affected, whether they experience such stress directly, or are on the receiving end of the resulting poor behaviour.[4]

80. In this respect, the Ombudsman is pleased to note that the Secretary-General is committed to working with partners to promote full mental health and well-being for staff in the United Nations system. It is through this commitment that, for the first time, the United Nations system has developed a mental health and well-being strategy for its workplace. The United Nations Workplace Mental Health and Well-being Strategy, which is a five-year strategy, has been created for all staff, across diverse roles, contexts and environments, from field missions to Headquarters, with the purpose of increasing the effectiveness of the Organization by optimizing the psychological health of its personnel.

81. The Strategy was developed by a collaborative multi-disciplinary, multi-agency team in response to the findings of the United Nations staff well-being survey, which identified elevated levels of symptoms consistent with anxiety, depression, post-traumatic stress and hazardous drinking in United Nations personnel. The four key themes of the five-year workplace mental health plan are to: (a) create a workplace that enhances mental and physical health and well-being; (b) develop, deliver and continuously evaluate mental health and well-being services in all duty stations; (c) welcome and support staff who live with mental health challenges; and (d) ensure sustainable funding for mental health and well-being services.

82. It is anticipated that the implementation of the Strategy will commence in the fourth quarter of 2018, on the basis of the four themes, with multidisciplinary inter-agency working groups to assist in the co-design of specific elements for implementation.

83. It is recognized, however, that a mental health strategy by itself cannot solve all workplace-related issues in the Secretariat, nor is it intended to inappropriately "medicalize" situations where managerial solutions are required. All the opportunities listed above, however, are additional ways to support the first prong of the strategy.

Opportunity

84. Continue to destigmatize and increase understanding of the impact of mental health and stress on sick leave and productivity as this can go a long way to promoting a harmonious, supportive workplace where people feel respected and able to do their best.

C. G to P career progression

85. Beyond the focus of the present report, the Ombudsman remains concerned about the career prospects of staff members in the General Service and related categories, in the light of the cases received. The Ombudsman is pleased to note that the working group on the career development of these staff members has been reviewing relevant issues within the United Nations Secretariat. Recommendations

[4] See A/61/524, para. 67; A/62/311, para. 52; A/64/314, paras. 86–91; A/65/303, paras. 91–97; A/66/224, paras. 87 and 90–92; A/67/172, paras. 91–93; A/70/151, para. 67; A/71/157, paras. 58 and 59.

that would require the approval of the General Assembly have been developed jointly by the working group.

VIII. Looking ahead

86. The systemic analysis of issues brought to the Office of the Ombudsman and Mediation Services is the basis on which the Office acts as an early warning system, drawing the attention of those involved in policy- and decision-making to the desirability of addressing emerging trends or those not adequately addressed.

87. The report of the work of the Office in 2014 signalled the damaging effects of offensive behaviour in the workplace and contained a suggestion that the Secretary-General may wish to reiterate the importance of civil and respectful behaviour in the workplace and ... expects senior managers to set the tone and be role models in that regard (see A/70/151, para. 70 (a)). Since then, it has become much clearer, not only in the United Nations but in the global workplace, that offensive behaviour has a damaging effect not only on staff morale and well-being at all levels but also on productivity. In the light of the Secretary-General's reform agenda and at a time when the United Nations must do more with less, the Office sees that it has an important role in helping to ensure that the United Nations workplace is one where the dignity of all is respected.

88. The Office plans to play a significant role in a civility or dignity initiative that will focus on how managers and staff working together in a mutually respectful manner can achieve goals more efficiently while modelling and strengthening robust team spirit. While maintaining its hallmark guarantee of confidentiality (except in cases where, in accordance with the standards of practice, the Ombudsman has good reason to believe that there is the possibility of imminent bodily harm), the Office will include in its work particular attention to the systemic issues arising from a lack of civility or a failure to respect the dignity of colleagues. The Secretariat Ombudsman will cooperate with the other two pillars of the Office to ensure a unified approach to addressing the issue. It will also seek input from others in the Organization, including management and staff representatives, through dialogue on the root causes and manifestations of lack of civility or failure to ensure dignity in the workplace. Acting as a catalyst from its unique vantage point and remaining independent, the Office expects this work to assist at Headquarters and in the field.

89. The Ombudsman notes that the Office is not mandated to serve non-staff personnel and does so only on an exceptional basis and when feasible within existing resources. In 2017, the Secretariat received 225 cases of non-staff personnel, compared with 152 cases in 2016, an increase of 73 cases, or about 48 per cent. There were 161 non-staff personnel cases in 2015. Recognizing the trend towards engaging an increasing number of non-staff personnel in the workforce of the Organization, especially in the field missions, the Secretary-General proposes to initiate a pilot project that would offer access to informal dispute-resolution services to non-staff personnel as part of the Office's mandate. Should the pilot project lead to an increase in numbers of cases from non-staff personnel beyond 350 cases per year, the Secretary-General would be required to seek additional resources for the project to continue. The pilot project would assist the Organization in determining the types of grievances that are raised by non-staff personnel and the quantitative caseload.

90. As highlighted in previous reports and recognized by the General Assembly in its resolution 71/266, access to the Office remains a challenge for staff serving in the field, especially those serving in remote duty stations. Through its regional presence, the Office has made significant efforts to expand its reach through outreach missions within the available means. This reporting period saw a 35 per cent increase in cases

over the previous period from Secretariat field missions, and a 22 per cent increase in other Secretariat locations outside of Headquarters. On the basis of experience, the in-person presence of a conflict-resolution specialist, as noted in paragraph 46, remains the most effective approach to conflict intervention, as it allows for preventive action, quick resolutions on the ground and skill-building for the future. Continued focus on staff who serve the United Nations away from headquarters duty stations, under often very harsh conditions, will remain a priority of the Office. This will include ensuring that the resources of the Office are used to deliver accessible and adequate regional coverage, as well as providing services in all six official languages.